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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re Application of:</b>	<b>Eidenschink, Mattison</b>
<b>Application No.:</b>	<b>10/826786</b>
<b>Filed:</b>	<b>April 16, 2004</b>
<b>For:</b>	<b>CATHETER ACCESSORY DEVICES AND METHODS OF USE</b>
<b>Group Art Unit:</b>	<b>3763</b>

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Docket No.: S63.2N-10989-US02

TRANSMITTAL LETTER

1. In regard to the above-identified application, in addition to this 2 page transmittal letter, we are submitting the attached: 6 page IDS with 7 references and post card.
2. With respect to fees:
  - ☒ No additional fee is required.
  - ☐ Attached is check(s) in the amount of \$
  - ☐ Charge additional fee to our Deposit Account No. 22-0350.
3. **CONDITIONAL PETITION FOR EXTENSION OF TIME**

This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350.

Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: July 21, 2004


By: \_\_\_\_\_

James M. Urzedowski  
Registration No.: 48596

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**Certificate Under 37 CFR 1.8:** I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as FIRST CLASS MAIL, addressed to Mail Stop Amendment, Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450, on July 21, 2004.

  
Julie Emerson



PATENT

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<b>Examiner:</b>	
<b>Group Art Unit:</b>	<b>3763</b>

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**Docket No.: S63.2N-10989-US02**

**INFORMATION DISCLOSURE STATEMENT**

Listed below or on an attached form listing the cited references and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If the form listing the cited references or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is prior art, or is or is considered to be, material to patentability as defined in §1.56.

Applications that are listed on the accompanying form listing the cited references as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the form listing the cited references and/or 892 forms from these cases.

☒ I. This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- ☒ (1) within 3 months of the filing date of the application (other than a CPA); or
- ☐ (2) within 3 months of entry of the national stage; or
- ☒ (3) before the mailing of a first Office Action on the merits;
- ☐ (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- ☐ (5) as part of a continued prosecution application (CPA); or
- ☐ (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

☐ II. This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

- ☐ (1) a certification as specified in §1.97(e) is provided below; or
- ☐ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

\_\_\_\_ III. 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- \_\_\_\_ (1) a certification as specified in §1.97(e) is completed below; and
- \_\_\_\_ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

X IV. *Fee Authorization*. If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

*If paragraph II.1 or III is checked, also check one of the paragraphs below*

\_\_\_\_ I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

\_\_\_\_ This communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

\_\_\_\_ I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

*For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.*

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

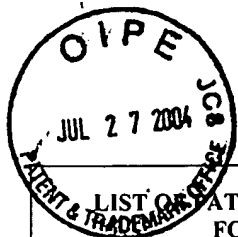
VIDAS, ARRETT & STEINKRAUS

Date: July 21, 2004

By: \_\_\_\_\_

James M. Urzedowski  
Registration No.: 48596

6109 Blue Circle Drive, Suite 2000  
Minnetonka, MN 55343-9185  
Telephone: (952) 563-3000  
Facsimile: (952) 563-3001



**LIST OF PATENTS AND PUBLICATIONS  
FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT**  
(Use several sheets if necessary)

ATTY DOCKET NO.: S63.2N-10989-  
US02

APPLICATION NO.: 10/826786

APPLICANT: Eidenschink, Mattison

FILING DATE: April 16, 2004

GROUP: 3763

**REFERENCE DESIGNATION**

**U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS**

EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4917103	04/17/90	Gambale et al	600/585	
	AB	5031636	07/16/91	Gambale et al	600/585	
	AC	5047045	09/10/91	Arney et al	606/194	
	AD	5156594	10/20/92	Keith	604/103.09	
	AE	5830157	11/03/98	Foote	600/585	
	AF	5836306	11/17/98	Duane et al	600/585	
	AG	5978699	11/02/99	Fehse et al	600/434	
	AH	6190333	02/20/91	Valencia	600/585	
	AI	6440161	08/27/02	Madrid et al	623/1.11	
	AJ	6497670	12/24/02	Parodi	600/585	
	AK	6682536	01/27/04	Vardi et al	606/108	
	AL	6682556	01/27/04	Ischinger	623/1.35	

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY
	BA	00/13613	03/16/00	WO
	BB	99/44535	09/10/99	WO
	BC			
	BD			
	BE			

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)**

	CA		
	CB		
	CC		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM PTO-1449 (Modified)</b> <b>LIST OF PATENTS AND PUBLICATIONS</b> <b>FOR APPLICANT'S</b> <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)			ATTY DOCKET NO.: S63.2-10989		APPLICATION NO.: 10/826786	
			APPLICANT: Eidenschink et al			
			FILING DATE: 04/16/04		GROUP: 3763	
REFERENCE DESIGNATION			U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6689157	02/10/04	Madrid et al	623/1.11	
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					
	AL					
FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER	DATE	COUNTRY		
	BA					
	BB					
	BC					
	BD					
	BE					
OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)						
	CA					
	CB					
	CC					
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						



<b>FORM PTO-1449</b>	<b>Atty. Docket No.:</b> 1001.1443101	<b>Serial No.:</b> 09/862,731
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	<b>Applicant:</b> Tracee E.J. Eidenschink et al.	
	<b>Filing Date</b>	<b>Group Art:</b>
	May 22, 2001	3731

### U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
AA	5,830,157	11/03/1998	Foote	600	585	

### FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Class	Sub Class	Translation Yes No
AB	WO 01/43809	06/21/2001	PCT			

### OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)


**EXAMINER:**

**DATE CONSIDERED:**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM PTO-1449</b>		Atty. Docket No.: 1001.1443101	Serial No.: 09/862,731
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		Applicant: Tracee E.J. Eidenschink et al.	
		Filing Date	Group Art:
		May 22, 2001	3731

### U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
AA	5,706,827	01/13/1998	Ehr et al.	

### FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Translation Yes No
AB	DE 41 15 007 A1	11/12/1992	Germany	Yes
AC	DE 199 48 409 C1	04/19/2001	Germany	Yes
AD	EP 0 335 581 A2	10/04/1989	Europe	
AE	WO 99/59664 A1	11/25/1999	WIPO	

### OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)


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**DATE CONSIDERED:**

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